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Attorneys for Defendants GUGGENHEIM
ENTERTAINMENT, LLC, SCOTT
GUGGENHEIM, STEPHEN GUGGENHEIM,
and SHANNON GUGGENHEIM

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT
SAN FRANCISCO DIVISION**

ERIC KIMMEL,

Plaintiff,

v.

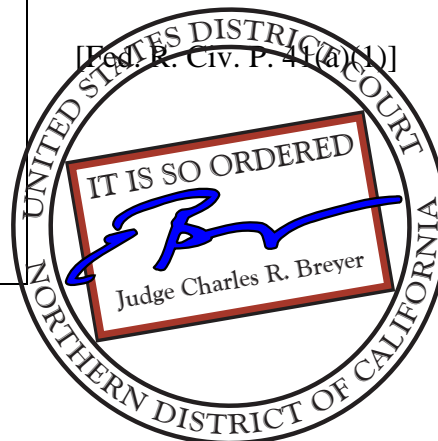
GUGGENHEIM ENTERTAINMENT, LLC,
SCOTT GUGGENHEIM, STEPHEN
GUGGENHEIM, and SHANNON
GUGGENHEIM,

Defendants.

Case No. C 07-02751 CRB

**STIPULATION OF DISMISSAL OF
STEPHEN GUGGENHEIM**

[Fed. R. Civ. P. 41(a)(1)]



10/01/07

Plaintiff ERIC KIMMEL ("Plaintiff") and Defendants GUGGENHEIM
ENTERTAINMENT, LLC, SCOTT GUGGENHEIM, STEPHEN GUGGENHEIM, and
SHANNON GUGGENHEIM ("Defendants"), by and through their respective attorneys, hereby
stipulate, pursuant to Federal Rule of Civil Procedure 41(a)(1) that:

a) Plaintiff's claims against Defendant Stephen Guggenheim be, and hereby are,
dismissed with prejudice; and

1 b) Defendant Stephen Guggenheim's counterclaims against Plaintiff also be, and
2 hereby are, dismissed with prejudice.

3 Nothing in this stipulation affects Plaintiff's claims against Scott and Shannon
4 Guggenheim, nor Scott and Shannon Guggenheim's counterclaims against Plaintiff.

5
6 Dated: September 28, 2007

BULLIVANT HOUSER BAILEY PC

7 By: /s/

8 Daniel N. Ballard

9 Attorneys for Plaintiff and Counterdefendant
10 ERIC KIMMEL

11 Dated: September 28, 2007

MAYER BROWN LLP

12 By: /s/

13 Joshua M. Masur

14 Attorneys for Defendants and Counterclaimants
15 GUGGENHEIM ENTERTAINMENT, LLC,
16 SCOTT GUGGENHEIM, STEPHEN
17 GUGGENHEIM, and SHANNON
GUGGENHEIM

18 *Filer's Attestation: Pursuant to General Order No. 45, Section X(B), the filer hereby attests that*
19 *the signatories' concurrence in the filing of this document has been obtained.*